1950

File 100 S-13/60-(1)

Karnataka

P13E

F.No. S-13/50 (1)

Powers:
Delegation of certain-to Assistant Engineers (1) and Bombay Services of Engineers (Old) and Deputy Engineers.

GOVERNMENT OF BOMBAY.
PUBLIC WORKS DEPARTMENT.
Government Resolution No. 5745/36-III,
Bombay Castle (Bombay No. 1), 7th July 1950.

Read Government Resolution No. 5745/36, dated the 19th February 1948.

Read Government Resolution No. 5745/36, dated the 5th July 1948.

Letter No. A-12415, dated the 3rd December 1949, from the Executive Engineer, Satara Division, as under :-

"Reference : Government Resolution, Public Works Department, No. 5745/36 of 19th Febbuary 1948 and 5745/36 of 5th July 1948.

2. In amplification of the orders issued as per S. No. 4 of the statement accompanying the Government Resolution (Public Works Department) No. 5455/27 of 8th April 1940, the Govornemt have issued orders to make payment of subsequent bills also in respect of current account bills up to Rs. 1,000 in cases of Village Water Works entrusted to the villagers only, please vide Government Resolution, Public Works Department, No. 5745/36 of 19th February 1948, subject to the brief reasons to be given on t e bill for making payments in cases wherein it is not possible to get the previseus bills audited from the Divisional Office.

3. The above orders were modified by Government Resolution (Public Works Department), No. 5745/36 of 5th July 1948 and the Sub-Divisional Officers authorised to make payment in respect of all works subject to the previous contition that the procedure indicated in Government Resolution issued in February 1948 is strictly followed.

4. The Sub-Divisional Officer, Satar, has made payment of IInd R.A. Bill during the same month without getting the previous bill audit from the Divisional Office on the authority of Government Resolution, Public Works Department, No. 5745+36 of 5th July 1948 on the grounds as noted below:-

5.--In-the-former-Gover
The work being fn full swing payment of the bill become due earlier than usual and hence the previous bill could not be ~~got~~ got pre-audited from the Divisional Office.

5. In the former Government Resolution, Public Works Department, No. 5745/36 of 19th February 1948 the concession allowed to make payment of the subsequent bill without pre-audit is for the villagers only who have been entrusted with the Village Water Supply Works and the same concession it appears was extended as per Government Resolution, Public Works Department, No. 5745/36 of 5th July 1948, to all works of Village Water Supply undertaken by Contractors whether they are villagers or otherwise with a view to speed up the progress of Village Water Supply Works.

6. The orders regarding payments of other C.R., S.R. and Original works issued under Government Resolution, Public Works Department, No 5455/27, dated 8th April 1940, remain unchanged.

7. It may pleased be made clear whether the view held by the Sub divisional Officer, Sataba, in making payment of C.R. works, without getting the previous bill audited from the Divisional Office is to be taken as correct."

Endoresement No, G.R. 22/D-222, dated the 4th March 1950 thereo by the Superintendeing Engineer, Easter Circle, as under:-

C"Copy forwaded with compliments to the Secretary to Government Public Works Department, Bombay, for favour of necessary orders on the point raised in the Executive Engineerss letter.

2. The Sub-Divisional Officer, Satara, has made payment of 1st and 2nd running account bills for the work of current repairs to Poona-Bangalore Road Section I picking and spreading in miles 37 and 38 during the same month without getting the 1st running account bill audited by Divisional Office on the authority of powers delegated to Sub-Divisional Officers, vide paragraph 1 of Government Resolution Public Works Department, No. 5745/36, dated ~~18th~~ 19th February 1948, as amended by Government Resolution of even No. dated 5th July 1948.

3. It is observed that the powers delegated to the Sub-Divisional Officers in this behalf vide paragraph 1 of Government Resolution Public Works Department, No. 5745/36, dated 19th February 1948, are specifically meant for payment of bills by the Sub-Divisional Officer in connection with works of wells entrusted to Villagers only by recording on the bills concerned brief reasons for making such payment where it is not possible to get in time the previous bill audited by by the Divisional Office. In implification of the above orders Government have in Government Resolution Public Works Department No. 5745/36, dated 5th July 1948, ordered that the powers delegated in paragraph 1 of Government Resolution of even No. dated 19th February 1948 may be exercised by the Sub-Divisional concerned in respect of all the works subject to the condition that the procedure therein is strictly followed.

4. It is presumed that the words 'all the works' in the Government Resolution of 5th July 1948 referred to cover all the works of Village Water Supply whether entrusted Villagers or piece-workers and contractors contractors and not any other works as presumed By the Sub-Divisional Officer, Satara Sub-Division.

4. However, as the matter is not free from doubt it is requested that the point may please be clarified and early orders issued."

RESOLUTION:-Government is pleased to direct that the powers delegate the Sub-Divisional Officers in Government Resolution No. 5745/36, dated the 19th February 1948, authorising them to make payment of subsequent bills also in respect of current account bills up to Rs. 1,000 in each case of Village Water Supply Works entrusted to villagers, after recording on the bills concerned, brief reasons for making such payment, should be made applicable to all Village Water Supply Works, whether entrusted to villagers of piece-workers contractors and also to all minor irrigation works.

By order of the Governor of Bombay,

Sd/- B.D.CHOKSI,
Deputy Secretary to Government.

G.R. No. 5745/36-III, P.W.D., dated the 7th July 1950.

No. of 1950.

Copy forwaded for information and guidance to:-

SSC/-20-7.

F.No. 8-13/50

Materials received from States merged in Bombay State: Procedure for accounting of-

GOVERNMENT OF BOMBAY.
Public Works Department.
Circular Memorandum No. P 251/40119
Bombay Castle. (Bombay No. 1).
7th July 1950

GOVERNMENT CIRCULAR MEMORANDUM.

No separate accounts of materials received from merged States should be maintained now; but the materials should be brought on the respective stores returns of Divisions with effect from 1st August 1949. No monetary adjustment is necessary in the case of articles of tools and plant, roadside materials and surplus stores. These articles should be brought on the stores returns of the Divisions.

2. In the case of materials of to be brought on the 'Stock' Account of the Divisions monetary adjustment should be carried out at the rates to be fixed by the Superintending Engineers of the Circles with prior approval of Government by credit to XXXIX -Civil Works Provincial - Miscellaneous ".

By order of the Governor of Bombay,

Sd/- D.N. Daruwala,
Assistant Secretary to Government.

No. of 1950.

Copy forwarded for information and guidance to:

SSC/-20-7.

F.No. S-13/50 (i) ... Village Approach Roads: Popular contribution for constructing the -

GOVERNMENT OF BOMBAY.
PUBLIC WORKS DEPARTMENT.
Circular Memorandum No. 2531/48.
Bombay Castle, (Bombay No. 1), 14th July 1950.

GOVERNMENT CIRCULAR MEMORANDUM.

Owing to limited funds available and the large number of works included in the Post-War Road Programme, it has not been possible to take up as many Village Approach Roads as is desirable, In view of the offers of popular contribution for such roads in form of cash, gift of land and free labour, which are occasionally made by village people in order to secure a high priority for the Village Approach Roads, Government is pleased to issue the following orders regarding Village Approach Roads included in the Post-War Plan or the 5-year programme and other Roads:-

(i) Where popular contribution of at least 1/3 (one-third) of the total cost of a Village Approach Road included in the 5-year programme is forthcoming in any form cash and/or free gift of land and/or labour such Village Approach Road should be given the highest priority, and construction of the road taken up in hand immediately, provided the construction of the road is not objectionable from any point of view.e-g.-

(a) the Village Approach Road would link with an existing road of a higher category, i.e., Other District Road, Major District Road, etc.
(b) the construction of the Village Approach Road does not involve any complications or commitments in the way of execution of any other road or any expensive bridge or other works.

(ii) Where popular contribution of at least 1/2 (one-half) of the total cost of a Village Approach Road is forthcoming, and the road is included in the Post-War Road Plan but not in the 5-year programme such road should be upgraded to the 5-year programme and the work given priority in the 5-year programme above Village Approach Roads for which lesser popular contribution is forthcoming.

(iii) If a Village Approach Road for which popular contribution of least ¼th of the total cost is forthcoming is not included at all in the Post-War Plan, such road should be included in the 5-year programme and its construction taken up, in preference to works for which no popular contribution is forthcoming.

(iv) The special priorities accorded in (i) to (iii) above to Village Approach Roads are within the 5-year programme of the District concerned. When popular contribution is forthcoming, the matter should be placed before the Rural Development Board for approval of the amended priority. Inter se, village approach roads in the 5-year programme should be taken in the order of popular contribution received.

(v) All offers of free gift of land and/or labour with the object of securing priority for a Village Approach Road should be made in writing to the Executive Engineer concerned while cash contribution should be paid in advance. Such written offeer should be a joint one for the village as a whole. In addition to the written statement, a regular agreement should be entered into with the Executive Engineer by the leading villagers, owing sufficient property, promising to pay 1/3, 1/2 or 3/4 (including money value of free labour) of the final total cost of the road work minus cash subscription paid in advance and value of free gift of land as may be fixed by the Revenue authorities. The agreement should inter alia contain the clause that in the event of non-payment of the promised amount, it will be receverable by Government as an arrear of land revenue. The agreement should also contain another clause that Government does not bind itself to construct the road in a stipulated time and that the work will be taken up if, and when the necessary funds bed become available. After the agreement is executed, the District Rural Development Board should be consulted and the Executive Engineer should submit to Government concrete and detailed pro-

proposals for constfuction of the road and priority to be given to it.

2. The Remembrancer of Legal Affairs is being requested to draw up a standard dBaft agreement copies of which when finally approved by Government will be supplied to the Superintending Enginners and Executive Engineers.

By order of the Governer of Bombay,

Sd/-G.V. BEDEKAR,
Secretary to Government.

G.C,M. No. 2531/48, P.W.D., dated the 14th July 1950.

No. of 1950.

Copy forwaded for information and guidance to:;-

SSC/- 20-7.

F.No. S 13/50

Certificates of reasonableness of rent to be issued by the Executive Engineers in respect of hired buildings.

GOVERNMENT OF BOMBAY.
PUBLIC WORKS DEPARTMENT.
Cirular Memorandum No. 8185/36.
Bombay Castle, (Bombay No. 1), 21st August 1950.

GOVERNMENT CERCULAR MEMORANDUM.

In supersession of the orders issued in Government Circular Memorandum No. 8185/36, dated 17th December 1948, Government is pleased to direct that in issuing certificates of reasonableness of rent in respect of all buildings hired for Government the Executive Engineers should determine the rent of the premises as laid down below:.

I. Where the Bombay Rents, Hotel and Lodging House Rates(Control) Act, 1947, is applicable-

In such cases the reasonable rent will be the same as the standard rent which should be determined in accordance with section 5 (10) of the Act which runs as under:-

"(a) where the standard rent is fixed by the Court and the Controller respectively under the Bombay Rent Restriction Act, 1939, or the Bombay Rents, Hotel Rates and Lodging House Rates(Control) Act, 1944, such standard rent; or

(b) where the standard is not so fixed, subject to the provisions of section 11, -

(i) the rent at which the premises were let on the first day of September 1940, or

(ii) where they were not let on the first day of September 1940, the rent at which they were last let before that day, or

(iii) where they were first let after the first day of September 1940 the rent at which they were first let, or

(iv) in any of the cases specified in section 11, the rent fixed by the Court.

To the rent as arrived at above may be added any increase in rent permitted under the provisions of the Act.

The onus of producing thenecessary documentary or other evidence essential for determination of the standard rent will be on the owner of the building at the discretion of the Executive Engineer. Alternatively the department having the accommodation may ascertain the standard rent and inform the Public Works Department authorities accordingly.

The charging of any rent in excess of the standard rent is not permissible in these cases.

II. Where the above Act is not applicable-

The reasonableness of rent should be fixed after taking into account the following factors:-

(a) Rateable value of the building.
(b) Rent prevailing in the locality for similar accommodation.
(iii) Capital cost of the building.
(iv) Special Circumstances (e.g. building meant and used so far by the owners themselves which are now let on rent or special furnishings or fittings etc.).

In view of the present high cost of maintenance and repairs, a rent upto 25 per cent. or Rs. 5 (which ever is more) in excess of the rent worked out in consideration of the above factors may not be considered as unreasonable.

2. The object of requiring the hiring Department to produce a certificate is to ensure that the rent paid by Government for private accommodation is not excessive and unreasonable. The Executive Engineers should, therefore, determine the "reasonableness" of rent of the premises in conformity with these instructions and should furnish the necessary certificate within one month from the date of receipt of the application for thesame. In case of the other Departments do not agree with the rent considered as reasonable by the Executive Engineer they should obtain the ground on which the Executive Engineer has

P.T.O.

fixed his rent before moving Government in the Public Works Department. Where necessary the officers of Departments should make clear to the Executive Engineer the basis on which the rent is proposed by them, as this will assist the Executive Engineer.

By order of the Governor of Bombay,

Sd/- V. H. KELKAR,
Under Secretary to Government.

G.C.M. No. 8185/36, P.WD., dated the 21st August 1950.

No. of 1950.

Copy forwarded for information and guidance to: -

SSC/-20-7.

·13/50 (1)

Trees in the compound of Government Bungalows: Delegation of powers for cutting of-

(Amplified by G.C.Mem. 7701/36-II dt.5-1-51)

GOVERNMENT OF BOMBAY.
PUBLIC WORKS DEPARTMENT.
Circular Memorandum No. 7701/36,
Bombay Castle, (Bombay No. 1), 24th August 1950.

GOVERNMENT CIRCULAR MEMORANDUM.

In modification of orders issued in Government Circular Memorandum No. 5555/37, dated the 8th July 1931, Government Endorsement No. 7701/36, dated the 11th December 1946, and Government Circular Memorandum No. 7701/36, dated the 12th November 1949, Government is pleased to authorize the Superintending Engineers of Circles to direct removal, to the best advantage of Government, of all trees either dead or fallen and of trees alive, which obstruct or come in the way of the residents of bunglows.

By order of the Governor of Bombay,

Sd/-V.H. KELKAR,
Under Secretary to Government.

No. of 1950.

Copy forwarded for information and guidance to:.

SSC/-21-7.

F.No. S-13/50 (1)

...bourer's Co-operative Societies.
Concession in respect of payment of
deposit for materials supplied to the

GOVERNMENT OF BOMBAY.
PUBLIC WORKS DEPARTMENT.
Resolution No. 2642/48.
Bombay Castle, Bombay No. 1D, 12th September 1950.

Read Government Resolution No. 2545/36-IV, dated the 11th March 1948.

Letter No. IND/IV/341, dated the 18th May 1949, from the Joint Registrar for Industrial Co-operatives and Village Industris, Bombay Province, Poona, as under

"Please refer to Government Resolution, Public Works Department, No. 2545/36 IV, dated the 11th March 1948, wherein Government has directed that the the case of moner contract works (costing up to Rs. 20,000) such labourers' Co-operative Societies as are approved by the Registrar of Co-operative Societies or the Deputy Registrars of the divisions should be give a trial and such works as are within their capabilities may be entrusted to them at the estimated rates and under the supervision of the Public Works Department.

"2. Some of the labourers' co-operative societies have compalained that though contracts are being entrusted to them they are required to place deposit to the extent of 10 per cent. of the contract amount with the Public Works Departmen t before the contracts are actually allotted to them. The labourers' co-operative societies consist of poor persons who have no tangible assets to give as security for loans from the central financing agencies. The share capital of these societies in the initial states is small and on the strength of such share-capital it is difficult for them and- to raise sufficien+ funds both for placing deposits with the Public Works Department and for carrying out the work of the contract alletted to them. Steps are being taken by this Department to see that the members of these societies contribute a small portion of their wages towards the society's share capital abut that would not enable the societies to attain immediately the position in which they can fulfil the condition in regard to the deposit mentioned above.

"3. Under Government Resolution, Revenue Department, No. 6953/45, dated 5th April 1949, Government has authorised Joint Registrar for Industrial Co-operatives and Village Industries to grant loans to the extent of Rs. 5,000 to a labourers' cooperative society to serve as its working capital. Though the limit of the loan has been fixed by Government at Rs. 5,000 care is to be taken to see that the loans sanctioned to a society is not beyond it s repaying capacity. Again such loans are intended to be employed mainly in the payment of wages and in carrying out contract loan work. It would not, in opinion, be desirable to utilise th amount of Government loan granted to the society for the purpose of making deposits with Government.

L9075

"4. In this connection I may point out that in the case of Forest Labourers' Co-operative Societies, Government under its letter, Revenue Department No. L9075 D./45, dated 1st Septembeb 1948 has been pleased to waive the condition regarding the payment of the deposit and the first instalment of purchase money at the time of signing of the agreement. The Forest Labourers' Co-operative Societies have been allowed to pay the price of coupes handed over them by the 15th March by which time societies are expected to start realising sale -proceeds of charcoal, timber etc. manufactured by may ~~them~~ I would suggest that on the analogy of this connession, labour contract societies may given exemption from payment of the deposit at the time of executing the agreement. Unless this is done, the preferential treatment that the is being given to these societies in respect o moner works would not prove very useful.

"5. Accordingly, I request that Government may be moved to direct that labour contract societies, which might be entrusted with mâner works (costing up to Rs. 20,000) as laid down the Government Resolution, Public Works Department, referred to above, should be exempted from the condition of palcing the deposit with the Public Works Department at the time of executing the contract agreement.

"6. Early order are solicited."

Read Government Letter, Revenue Department No. 6953/45/58397-H, dated the 25th July 1949.

Letter No. IND/IV/341, dated the 2nd September 1949, from the Joint Registrar for Industrial Co-operatives and Village Industries, Bombay Province, Poona, as under: -

Please refer to Government Letter, Revenue Department, No. 6953/45/58397-H,

dated 25th July 1949, regarding the subject mentioned above.

"2. I have already suggested in my letter No. IND-IV-341, dated 18th May 1949, that it is not advisable for a Labour Contract Co-operative society to utilise the amount of Government loan sanctioned to serve as its working capital for the purpose of placing deposits with the Public Works Department. The Government loan is primarily intended for being invested in carrying out the operations of the contracts, paying wages to the labourers and defraying supervision charges, etc. The Joint Registrar is empowered to sanction at the most Rs. 5,000 as loan to a Labourer's Society. But if a part of this amount were to be used as a deposit withe the Public Works Department by a Society, it will find it very difficult to carry on its business. This is because of the fact that large funds are usually required by these societies for carrying out the contract works with efficienty. If these Societies are compelled to palce deposits with Government from out of the Government loan santioned to it, it would locked up the working capital of these Labourers' Socities and no useful purpose would be served. If this is done, the purpose for which Government loan is sanctioned to these societies would be frustrated It may be observed that these Labour Contract Socitais are bodies corporat registered under the Bombay Co-operative Societies Act. They would therefore, be justified in claiming exemption from ~~placing~~ explaining the deposit money with Government. These societies have slender owned funds whihh are very inadequate for carrying out contracts. The societies are required to borrow up-to their capacity and even beyond that. In order to obviate theri financial difficulties, it is essential that they may be exempted from payment of deposits at the time of executing the agreementn with Government as done in the case of Forest Labourers' Co-operative ~~Societies~~ Societies.

"3. I would therefore requeste that Governemtn may please be moved to accept the prepsals contained in this office No. IND-IV/341, dated 19th May 1949, and direct that the Labours Contract Societies, which might be entrusted with minor works by the Public Works Department, may be exempted from the obligation of paloing depostats with Government at the time of executinv contract agreements. If this is done, a practical difficulty creased by Government order No. P.W.D./2545/136/IV of 11th March 1948, which sccieties of this type have to facr, can be removed."

Endoresement No. IND/Misc., dated the 13th September 1949, from the Registrar, ~~Co-operative~~ Co-operative Societies, Bombay Province, Poona, as under :-

"Forewarded with compliments to the Secretary to Government, Revenue Department, Bombay,

"2. I agree with the views expressed by the Joint Registrar for Industrail Co-operatives and Village Industries."

Read Government Memorandum, Development, Department, No. 869/6382-B. dated the 7th March 1950.

RESOLUTION:- Government is pleased to direct that the Labourers' Co-operative Societies, should on the recommendations by the Registrar of Co-operative Sociéties, be exempted temporarily for a period of one year, from payment of security deposit as required by paragraph 209 of the Bombay Public Works Department Manual, Volume I, when they are entrusted with the Execution of minor works not involving the use of Government materials such as cement, timber, steel, G. I, sheets etc. If, however, such materials are issued to them for works, a deposit at half the usual rates only, should be taken from the societies.

2. The question of continuance of the abover orders should be reviewed at the end of the one year.

By order of the Governor of Bombay,

Sd/- V. H. KELKAR
Under Secretary to Government.

M.R.No. 2643/43, P.W.D., dated 12th September 1950.

No. of 1950.

Copy forwaded for information and guidance to:

SSC/-20-7.

F.No. S-13/50 (1)

Minor Irrigation Works:
Special programme for the year
1950-52 and 1951-52:
Contribution for-

GOVERNMENT OF BOMBAY.
Public Works Department
Circular Memorandum No. 2356/48.
Bombay Castle, (Bombay No. 1), 22nd Sept. 1950.

GOVERNMENT CIRCULAR MEMORANDUM.

In part V (c) of the scheme for execution of the Special programme of minor irrigation works accompanying Government Circular Memorandum No. 2356/48-II, dated the 26th May ~~1950~~ 1950 it is stated that if a tank is owned by a signle individual the whole cost of repairs should be recovered as contribution from him, and that no repairs to an existing tank or a bandhara should be undertaken where the same is jointly owned by Government and an Inamdar unless the full share of the cost of the Inamdar's portion is received in cash in advance. It has been proposed to Government that contributions to be paid by the individual owners or Inamdars might be allowed to be raised contributionl on the understanding that the payment would be adjusted as a set-off against the rent due by the tenants to the superior holder. After careful consideration Government is pleased to direct that there is no objection to receiving cost of repairs from the tenant irrigators of an Inamdar or a single occupant provided such payments are willingly made. The question as to wh should bear the cost of repairs is of mutual agreement between the parties. It is not legally feasible under the provisions of sections 86 and 87 of the 'Bombay Land Revenue Code' to authorise the tenants to deduct from their rents the cost of repairs paid by them. However, on the ground of the tanants having carried out the repairs or paid the cost of repairs it would be open to the tanants, to apply under section 12 of the 'Bombay Tenancy and Agricultural Lands Act' for fixing reasonable rent and, in so fixing rent this process they would indirectly be entitled to reimbursement of the costs of repairs.

By order of the Governor of Bombay,

Sd/- K.V. Joglekar,
Deputy Secretary to Government.

No. of 1950.

Copy forwarded for information and guidance to:-

SSC/-20-7.

F.No. S-13/50 (1)

Village Approach Roads:
Popular contribution for constructing the -

GOVERNMENT OF BOMBAY.
PUBLIC WORKS DEPARTMENT.
Circular Memorandum No. 2531/48.
Bombay Castle (Bombay No. *). 14th December 1950.

GOVERNMENT CIRCULAR MEMORANDUM.

The standard draft agreement in connection with the construction of Vi Village Approach Roads with the help of popular contribution referred to in paragraph 2 of Government Circular Memorandum No. 2531/48, dated the 14th July 1950, and drawn up by the Solicitor to Government, Legal Department, has been approved by Government and is printed as accompaniment to this Circular Memorandum. It should be adopted by the Executive Engineers in entering into an agreement with the leading villagers owning sufficient property as laid down in paragraph 1 of (v) of the Government Circular Memorandum referred to.

2. The agreement is exempt from stamp duty under previse I to section 3 of the Indian Stamp Act.

3. The value of land referred to in clause (3) of the draft agreement should be ascertained from the revenue authorities and fixed by the Executive Engineer concerned.

4. As regards recovery of the difference between the actual cost of the Road and the amount already paid by the doners (vide clause (4) of the draft agreement). Government is pleased to direct that no further sum need be recovered from t e doners unless the actual cost exceeds the estaimated cost by 5 per cent or rupees one thousand whichever is greater.

By order of the Governer of Bombay,

Sd/- G.V. BEDEKAR,
Secretary to Government.

No. of 1950

Copy forwaded for information and guidance to:

SSC/-22-7.

ccompaniment to Government Circular Memorandum, Public Works Department No. 2531/48, dated the 14th December 1950.

THIS AGREEMENT made at the day of one thousand nine hundred and fifty between all of in taluka district. (thereinafter called "the Doners" which expression shall unless excluded by or repugnant to the context include theire respective heirs, executors and administrators) of the one part and THE GOVERNMENT OF BOMBAY (hereinafter called "the Government " which expression shall unless excluded or repugnant to the context include his successors in office and assigns) of the other part.

2. WHEREAS the Doners applied to the Government to undertake, under the Post-War Road Programme of the Government, the construction of a Village Approach Road in order to have direct access to _____ road and have agreed to bear and pay to the Government a sum equivalent to one-third / one-half / three-fourths the total actual cost of the said Villager Approach Road includding the cost of land, labour and materials as their contribution and have offered to pay to the Government a sum of Rs. in part payment of the agreed contribution.

3. AND WHEREAS the Government has agreed to construct the said Village Approach Road and to accept the said sum of Rs. from the Doners on the terms and conditions hereinafter appearing.

NOW THIS AGREEMENTSWITNESSETH as follows:-

(1) In pursuance of the said Agreement and in consideration of the sum of Rs. (Rupees) paid to the Government by the Doners on or before the execution of these presents (The receipt whereof the Government doth hereby admit) the Government agrees to undertake the construction of the Said Village Approach Road as and when the funds necessary to cover the Government's share of the cost of the construction of the said Village Approach Road becomes available. Save as provided hereinafter the Doners shall not be entitled to refund of the said sum.

(2) The Government shall construct the said Village Approach Road to such standards and specifications and shall use such materials as may be approved by the Government for construction of Village Roads under its Post-War Schemes.

(3) If at any time hereafter the Doners provided labour and land for the constructions of the said Village Approach Road, the Government shall refund or give credit to the Doners to the extent of the cost of labour or value of land so provided, at the value placed thereon by the Executive Engineer, _____ Division, such valuation being conclusive and binding upon the doners.

(4) The doners do hereby jointly and severally convenant with the Government that they the doners shall pay to the Government on demand such further sum or sums of money as may be necessary to make up the total amount equavalent to the 1/3 1/2 ~~2/3~~ 3/4 of the actual cost of construction of the said Village Approach Road agreed to be borne and contributed by them, and that all sums due and payable by the Doners under these presents shall be recoverable from the Doners as arrears of land revenue.

(5) The Government shall bear the charges of stamping this agreement and its duplicate.

IN WITNESS whereof the Doners have set their respective hands and the Executive Engineer, _____ Division has an behalf of the Governer of Bombay set his hand and seal of his office hereto the day and year first above written.

Signed and delivered by the abovenamed
Doners in the presence of --
1-
2.
Signed sealed and delivered by Executive
Engineer, Division, in the presence
of
1
2